

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

MARLON RASHAAD ROBERTSON,

Civil No. 17-4277(JRT/HB)

Plaintiff,

v.

EDDIE MILES,

**ORDER ON REPORT
AND RECOMMENDATION**

Defendant.

Marlon Rashaad Robertson, OID # 226389, 970 Pickett Street North, Bayport, MN 55003, *pro se* plaintiff.

Kelly O'Neill Moller, **HENNEPIN COUNTY ATTORNEY'S OFFICE**, C-2000 Government Center, 300 South Sixth Street, Minneapolis, MN 55487, Matthew Frank, **MINNESOTA ATTORNEY GENERAL'S OFFICE**, 445 Minnesota Street, Suite 1800, St Paul, MN 55101-2134, for defendant.

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to the Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. The Report and Recommendation is **ADOPTED**;
2. Marlon Rashaad Robertson's Petition under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody [Docket No. 1] is **DENIED**;

3. This action is **DISMISSED**; and

4. No certificate of appealability will be issued.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: August 3, 2018
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
Chief Judge
United States District Court